



PUEBLO OF LAGUNA
P.O. Box 194
LAGUNA, NEW MEXICO 87026



PUEBLO OF LAGUNA

Ordinance No. 600-10

Re: Amending Pueblo of Laguna Code Section 12-1-1 Concerning Jurisdiction of the Pueblo Court Over Civil Actions

At a duly called meeting of the Laguna Pueblo Council ("Council") held on the 14 day of December 2010, the following Ordinance was enacted:

WHEREAS, the Pueblo of Laguna ("Pueblo") is a federally recognized Indian Tribe with a constitution and all the inherent governmental powers of a sovereign; and

WHEREAS, pursuant to Article IV(2)(e) of the Constitution, the Pueblo Council is authorized to exercise the inherent powers of the Pueblo, including the inherent authority to establish ordinances governing the conduct and civil relations of residents of the Pueblo and providing for the maintenance of law and order and the administration of justice within the lands of the Pueblo;

WHEREAS, Article V, Section 3 of the Constitution provides that the civil jurisdiction of the Pueblo Courts shall extend over "members and non-members who reside upon or enter the lands of the Pueblo. Any person who shall enter upon the lands of the Pueblo shall be deemed to have implied his consent to the jurisdiction of the Pueblo as prescribed by this Section;"

WHEREAS, the Pueblo of Laguna Code section 12-1-1 provides that the personal civil jurisdiction of the Pueblo of Laguna Court is limited to cases where the defendant is an Indian residing on the Reservation; and

WHEREAS, this limitation of the Court's jurisdiction is inconsistent with the Constitution and with the different laws and agreements of the Pueblo which provide for resolution of disputes in Pueblo Court.

NOW THEREFORE BE IT ORDAINED that the Pueblo Council hereby amends P.O.L.C. Section 12-1-1 in its entirety and replaces that section to read as follows:

The civil jurisdiction of the Pueblo of Laguna Court shall be as follows:

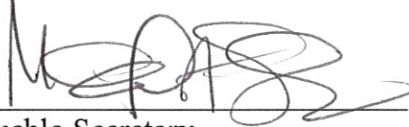
- A. The jurisdiction of the court shall extend to all civil cases involving members, non-members and persons who reside upon or enter the lands of the Pueblo. Any person who shall enter upon the lands of the Pueblo shall be deemed to have implied his consent to the jurisdiction of the Pueblo as prescribed by this Section. Person means any natural

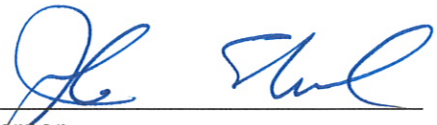
person, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, or any entity, department, agency, instrumentality or political subdivision of tribal, federal or state government, and includes any business enterprise that is at least fifty-one (51) percent owned by the Pueblo of Laguna or another tribal, federal or state government. *Entering the lands* of the Pueblo includes acts and events occurring within the Pueblo of Laguna, its reservation, fee and trust lands, or transactions entered into with the Pueblo, its entities or members where there is a nexus to the Pueblo lands through execution of the contractual document, delivery or performance of the transaction on the Pueblo, or use of Pueblo or Pueblo entity funds.

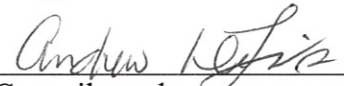
BE IT FURTHER ORDAINED that P.O.L.C. Section 12-1-1 as presently written is rescinded.

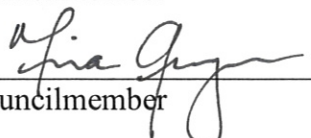
BE IT FURTHER ORDAINED that this amendment to P.O.L.C. Section 12-1-1 shall be applied retroactively to all civil cases presently pending, previously decided and those filed from this date forward.

ATTEST:


Pueblo Secretary


Governor




Councilmember


Councilmember

Ordinance No:600-10


CERTIFICATION

The foregoing Ordinance was enacted by the Pueblo Council of the Pueblo of Laguna on the 14th day of December, 2010, by a vote of 18 in favor, 2 opposed, at a duly called meeting at which a quorum of the Pueblo Council was present.

Governor

ATTEST:



Pueblo Secretary